

**FILED****JANUARY 7, 2008****MICHAEL W. DOBBINS  
CLERK, U.S. DISTRICT COURT****MEMORANDUM OF AGREEMENT**

THIS AGREEMENT MADE AND ENTERED INTO BY AND BETWEEN:

SHAMROCK TILE & MARBLE Address  
21-0903997  
224-234-8802703 SERENDIPITY  
AURORA, IL. 60504

herein called the "EMPLOYER," and Ceramic Tile, Terrazzo, &amp; Granite-Cutters Union, Local No. 67-Illinois of the International Union of Bricklayers and Allied Craftsmen, AFL-CIO, herein called the "UNION."

In consideration of the mutual promises made to each other, the parties hereby agree as follows:

1. The EMPLOYER hereby recognizes the UNION as the sole and exclusive collective bargaining representative for and on behalf of employees of the EMPLOYER who are now or are hereafter employed within the territorial and occupational jurisdiction of the UNION.

2. The parties adopt and the EMPLOYER agrees to be bound by the terms and provisions of a collective bargaining agreement dated JUNE 1, 2004, between the UNION and the CERAMIC TILE CONTRACTORS ASSOCIATION OF CHICAGO (Master Agreement), a copy of which agreement is attached hereto and made a part hereof and the receipt of which is hereby acknowledged by the EMPLOYER.

3. This Memorandum of Agreement shall remain in effect until the expiration of the Agreement adopted by reference, (Master Agreement) including any amendments or extensions thereto. The parties further agree that this Memorandum of Agreement shall remain in effect from contract to contract thereafter and the parties specifically adopt any subsequent or successor Agreement entered into between the UNION and the aforesaid CERAMIC TILE CONTRACTORS ASSOCIATION OF CHICAGO after the expiration date of the Agreement adopted by reference (Master Agreement) as aforesaid, unless written notice of termination or amendment is given in the manner provided below.

4. Either party desiring to amend or terminate this Memorandum of Agreement must notify the other in writing at least sixty (60) days prior to the expiration of the then existing Agreement adopted herein by reference (CERAMIC TILE CONTRACTORS ASSOCIATION OF CHICAGO - Master Agreement).

5. The EMPLOYER agrees to be bound by and to comply with the terms and provisions of the Agreements and Declarations of Trust establishing the Chicago Tile Institute Welfare Trust, Chicago Tile Institute Pension Trust, Chicago Tile Institute Promotion Fund, Ceramic Tile Apprenticeship Trust, Ceramic Tile and Terrazzo Local 67 B.A.C Annuity Trust, Bricklayer and Trowel Trades International Pension Fund, International Masonry Institute, and Ceramic Tile, Terrazzo &amp; Granite-Cutters Union Local No. 67, as amended and as the same may hereafter be amended or restated from time to time, as though the same were fully incorporated herein.

EMPLOYER agrees to make prompt payments to each of the above funds of the hourly contribution specified in the Master Agreement and all successor agreements to which employer becomes bound. The EMPLOYER hereby accepts and ratifies the appointment of the present Employer Trustees of the Funds and their Successor Employer Trustees as its representative.

6. EMPLOYER agrees to furnish UNION with certificate covering liability under the Illinois Workers' Compensation Act and the Illinois Occupational Disease Act.

7. EMPLOYER agrees to furnish UNION with a surety bond to insure prompt payment of wages, health and welfare fund contributions, pension fund contributions, apprentice training fund contributions and annuity fund contributions in amount and according to the provisions of the Master Agreement adopted by reference herein.

8. This agreement shall not be operative during any period when the EMPLOYER is a member in good standing of the CERAMIC TILE CONTRACTORS ASSOCIATION OF CHICAGO.

IN WITNESS WHEREOF, the parties have executed this agreement dated this 27 day ofJULY, 2007.EMPLOYER: SHAMROCK TILE & MARBLE(Sign) By: [Signature](Print) By: John H. BarrettCERAMIC TILE, TERRAZZO and GRANITE-CUTTERS  
UNION LOCAL No. 67-IL(Sign) By: [Signature](Print) By: Edward ThersenseiMemo. of Agmt./TILE  
1/7/2008**KC**